

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, Development Services Department

Prepared by: Marcie Oppenheimer Nolan, Deputy Planning and Zoning Manager

SUBJECT: Resolution

AFFECTED DISTRICT: All Districts

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE DRAFT EVALUATION AND APPRAISAL REPORT FOR THE TOWN OF DAVIE COMPREHENSIVE PLAN; STATING THE INTENT OF THE TOWN COUNCIL TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS FOR INITIAL REVIEW IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES.

REPORT IN BRIEF:

Background and History

In Florida, a Comprehensive Plan is mandated by the State Growth Management Act. The first Comprehensive Plan for the Town was first adopted in 1989. The Comprehensive Plan is a tool to manage and direct growth in a manner consistent with the vision of the Town Council and residents. This consistency to the community vision is achieved through identification of goals, implemented through objectives and policies. These goals, objectives and policies are reviewed by the State Department of Community Affairs for consistency with State requirements and the State Plan.

As a requirement of this planning process, Florida State Statute Section 163.3191 requires that all local governments review their comprehensive plan every seven years. This level of review was last completed in 1996 and the resulting Comprehensive Plan amendments were adopted in 1997. At the time of the previous EAR, the State required that each element be reviewed to determine where updates were needed. The State has subsequently revised the EAR review requirements resulting in 'issue based review' reflecting each community's particular needs for this review.

The Town held six public workshops from November 2003 through February 2004. At these workshops the Town identified six (6) issues from the comments and suggestions raised by the public. A scoping meeting was also held on April 13, 2004 to obtain direct input from the elected officials, adjacent municipalities and other affected agencies on the major issues identified for analysis in the EAR.

The purpose of identifying these specific issues is to allow local governments to control and direct community needs. From these 'issues' detailed analysis was conducted identifying specific gaps in policies and procedures that may or may not be consistent with Town direction. The following information lists the issues identified and then the recommendations made by the public and staff.

Issues and Recommendations

Issue #1: Preservation & Acquisition of Open Space – Funding of Services and Facilities

1. Conduct a comprehensive survey of current resources.
2. Pursue acquiring a limited number of additional parcels of land that would address deficiencies revealed in the land resource inventory.
3. Purchase strategically located parcels and obtain the necessary easements to complete the Town's trail network.
4. Maintenance of our parks, trails and open space must be improved.
5. The Town will evaluate and plan for the long term stability of parks, trails, and open space.
6. The Town will continue to partner with the Florida Community Trust, Trust for Public Lands and Davie Area Land Trust when identified strategic parcels become available for purchase.
7. The Town will coordinate with Broward County ensuring the greenways plan and Town trails system interconnects.
8. The Town will work with adjacent municipalities on regional park and trail issues.
9. Additional regulations to Land Development Code are necessary to permanently preserve additional sites.
10. The Town may wish to increase the use of native plant material over 25% throughout the Town.
11. Additional wetland opportunities should be created through wetland mitigation in Town-owned sites.
12. Work with Broward County and State to identify and map wildlife habitats not already protected.

Issue #2: Capital Improvement Plan (CIP) – Funding and Coordination

1. Utilize the standardized form for capital project proposals
2. Amend evaluation criteria considered for prioritizing capital projects
3. Implement a Capital Needs Assessment that addresses the following questions:
 - a. How will new development impact infrastructure? How will demand for water, sewer, and roads be affected?
 - b. Is there enough capacity (in quality and quantity) in the existing system to serve new development?
 - c. What improvements, if any, need to be made to accommodate new development and redevelopment?
 - d. Will the improvements benefit existing customers at all? Will improvements reduce vehicle traffic in another part of town?
4. Provide yearly updates of the CIP to the Department of Community Affairs (DCA).
5. Streamline the CIP process.
6. Update annually the Capital Improvements Element to reflect planned capital projects and projected revenues to meet level of service standards.

Issue #3: Providing Strategies and Opportunities for Affordable & Workforce Housing

1. Expand affordable rental housing and homeownership opportunities for Davie residents and continue to upgrade the existing housing stock.
2. Ensure residential developments offer at least 20 percent affordable units for every project or other affordable house initiative/measure.
3. The Town should look for opportunities for infill and redevelopment allowing affordable housing projects
4. Creation of an Affordable Housing Trust Fund.
5. Need for zoning flexibility and increased density in areas where appropriate density already exists to support mixes of housing types and income levels.

6. Redevelopment of substandard Mobile Home Communities
7. The need to mitigate eastern Mobile Home Parks due to noise.
8. Recommend designation upon completion of RAC Master Plan and SR7/441 Master Plan.
9. Continue to develop strategies to encourage integrated transportation systems.
10. Work with the SFRPC and Broward County on their recommendations for providing opportunities for affordable housing throughout the Town.

Issue #4: Planning for Economic Vitality

1. Encourage attractive, stable and high quality commercial/mixed use developments.
2. Increase economic vitality of the Town through public/private partnerships.
3. Assure that new commercial and industrial uses are appropriately located.
4. Provide additional land use policies that will encourage infill development and redevelopment.
5. Work with the Drainage Districts on area-wide drainage plans to allow infill development to occur.
6. Research the ability to create an impact fee specific to those uses that may be tax-exempt.
7. Research alternative funding strategies mechanisms for the required and necessary infrastructure improvements in the Town's targeted redevelopment areas.
8. Implement the SR7/441 Master Plan and RAC Master Plan (upon completion) to provide opportunities for economic growth in a meaningful and balanced way.
9. The Town shall work with Economic Development Council, Chamber of Commerce and CRA to encourage increased commercial activity. These shall be through redevelopment Master Plans and infrastructure improvements as may be necessary.
10. Revise the table of maximum development activity to reflect the growing size of tenant stores and implement FAR to ensure that development can occur in multi-stories where appropriate.
11. Evaluate the land development code to ensure that all zoning districts provide appropriate buffers between commercial and residential uses.
12. Continue to implement the SR7/441 Master Plan and provide the necessary infrastructure improvements to encourage a strong economic and employment base.
13. Adopt regulations that allow industrial lands to redevelop into modern industrial areas while retaining the necessary industrial uses through the creation of land development regulations to implement the SR7 Master Plan.
14. The creation of the RAC Master Plan will guide future development of the RAC including increased density, as may be needed.
15. Continue to coordinate with the SFEC as well as FDOT, MPO, Broward County.
16. Develop land development code that allows for mixed-uses in the RAC and along SR7.

Issue #5: Building an Adequate Local Road Network

1. Continue coordination with the State of Florida and Broward County transportation agencies through existing mechanisms to ensure continued traffic safety and LOS.
2. The Town should provide network continuity for north-south and east-west circulation, meaning that there are no gaps in the network.
3. The Town shall continue to improve the LOS on the regional roadways.
4. The Town must implement policies to encourage transit and other multi-modal forms of transportation throughout the Town.
5. Street should be designed to decrease accident frequency.
6. The Town should adopt a Transit Concurrence Management System due to the recent adoption of Transit Concurrence by Broward County.

7. Retain a consultant to create a public rights-of-way base map for the local roadways of the Town.
8. Continue to work with developers, Broward County, and FDOT to facilitate joint funding of transportation improvements.
9. Continue communication with Broward County regarding proposed transportation and transit improvements through the Metropolitan Planning Organization and other transportation planning-related meetings.
10. Continue to review proposed development plans through the Development Review process and address conflicts in traffic.
11. Recommend adopting a LOS C for local roads.

Issue #6: Evaluation & Impact of the Proposed Increase in Density of the Regional Activity Center (RAC)

1. Encourage growth within the RAC and recognize how it will affect other parts of Davie.
2. Introduce additional “smart growth” principles into the Goals, Objectives, and Policies section of the Future Land Use Element.
3. Protect the intact single-family neighborhoods from intrusion of multi-family housing.
4. The RAC serves as a focus for Davie, however it lacks good vehicular and pedestrian access/circulation and overall design theme.
5. The creation of the RAC Master Plan will guide future development of the RAC including increased density, as may be needed.
6. Continue to coordinate with the SFEC as well as FDOT, MPO, Broward County.
7. Develop Land Development Code that allows for mixed-uses in the RAC and along SR7
8. The Town shall work with the CRA to develop new mixed-use land development regulations.
9. Increase the number of residential units remaining in the RAC to encourage additional housing for students and teachers.
10. Continue to develop parking program and master drainage plan to facilitate mixed-use residential/commercial development and redevelopment.

Additional Requirements

Additional requirements for the EAR involve reviewing all changes to Chapter 163, Florida Statutes, Rule 9J-5, Florida Administrative Code, State Comprehensive Plan, and Strategic Regional Policy Plan for South Florida to determine if any of our goals, objectives or policies needs to be revised.

Finally, after the issues and analysis study was conducted, staff reviewed each and every goal, objective or policy to determine if any changes were needed. Staff has identified a series of amendments that will be required to comply with both the State requirements and to achieve specifically identified recommendations. These are detailed under next steps.

Next Steps

Upon review and approval by Town Council, staff will incorporate Town Council and LPA comments into the draft EAR and transmit the document to the Dept. of Community Affairs (DCA) and the other required reviewing agencies. Upon review and receipt of comments, if any, the EAR will be revised and an adoption hearing will be scheduled for Town Council approval.

Once the EAR is accepted by DCA, the Town must begin the required amendments to the Comprehensive Plan. The timeframe for such amendments is typically 18 months.

PREVIOUS ACTIONS: N/A

CONCURRENCES: At the August 24, 2005 Local Planning Agency meeting, a motion was made by Mr. McLaughlin and seconded by Mr. Stevens to approve. Motion carried 5-0. Previously, the Planning and Zoning Board, sitting as the Local Planning Agency (LPA), tabled this item at the August 10, 2005 meeting to allow additional time to review the full document. Their comments and suggestions have been noted and will be incorporated into the document along with the Town Council motion.

FISCAL IMPACT: N/A

RECOMMENDATION(S): Motion to approve the Resolution

Attachment(s): Resolution, Evaluation and Appraisal Report (EAR) provided under separate cover

RESOLUTION # _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE DRAFT EVALUATION AND APPRAISAL REPORT FOR THE TOWN OF DAVIE COMPREHENSIVE PLAN; STATING THE INTENT OF THE TOWN COUNCIL TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS FOR INITIAL REVIEW IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, the Town Council last adopted the Comprehensive Plan on May 21, 2003, Ordinance No. 2001-32; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the Town held a series of public workshops over the course of two years to receive input regarding the direction and vision of the Town of Davie; and

WHEREAS, the Planning and Zoning Board, acting as the Local Planning Agency, has reviewed the Evaluation and Appraisal Report on August 10, 2005 and August 24, 2005, at an advertised public hearing, provided for participation by the public in the process, and rendered its recommendations to the Town Council; and

WHEREAS, the Town Council has reviewed the Evaluation and Appraisal Report on September 21, 2005, held an advertised public hearing, and provided for comments and public participation in the process in accordance the requirements of state law and the procedures adopted for public participation in the planning process;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The Town Council authorizes the Mayor to add his signature to the resolution approving the draft Evaluation and Appraisal Report to be transmitted to the Department of Community Affairs, as required by State Statute, attached as Exhibit A; and

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

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